

REMARKS

1. Introduction

This Amendment is responsive to the February 9, 2005 Office Action in this application. Claims 1, 12, and 13 stand allowed. Claims 18, 20, 22, and 38-40 stand rejected. This Amendment amends claims 18 and 38 and adds new claims 41-50.

2. Claim Rejections

Claims 18, 20, 22, and 38-40 stand rejected under 35 USC §102(b) for anticipation by United States Patent No. 2,821,193 to Ziherl et al. ("Ziherl"). In response, Applicant's have amended independent claims 18 and 38. Claim 38 has been re-written in independent form directed to a system that comprises a syringe with a powered injector to pressurize a fluid loaded in the syringe. The powered injector comprises a drive member to impart motion to the syringe plunger. The system further comprises a syringe loader to load fluid into the syringe. The syringe loader is defined substantially in the same manner as presently allowed independent claim 1. Accordingly, new independent claim 38 should now be in condition for allowance as this claim includes similar allowable limitations to those added to independent claim 1 previously. Claims 39 and 40 depend directly or indirectly from independent claim 38 and should also be in allowable condition.

Independent claim 18 was amended to further identify that the syringe loader is an off-injector syringe loader for loading fluid into the syringe such that the syringe is operable independent of the powered injector. The foregoing amendments to independent claim 18 overcome the rejection of independent claim 18 in the Office Action. Ziherl does not teach or suggest an off-injector syringe loader for loading fluid into a syringe. The device disclosed by Ziherl allows for loading fluid into a pump chamber of the device from a fluid supply mounted on the device. The pump chamber may then be pressurized to inject fluid into a patient during a

fluid injection procedure. Thus, at best, Zihlerl discloses an injection device with a syringe loading and power injection function on the device. In contrast, amended independent claim 18 requires an off-injector syringe loader and, therefore, distinguishes over Zihlerl.

The Examiner previously cited United States Patent Nos. 5,830,194 to Anwar et al. ("Anwar") and 5,507,727 to Crainich against claims pending in this application. Anwar discloses a power syringe that is capable of loading fluid into a syringe reservoir and then dispensing the fluid from the reservoir under pressure. However, this "combined" syringe loading and power injection function does not anticipate or render obvious the off-injector syringe loader presently claimed in independent claim 18. Crainich discloses a syringe assembly that is also capable of loading fluid into a fluid chamber and dispensing the fluid loaded therein under pressure during a fluid injection procedure. As with Zihlerl and Anwar, Crainich fails to teach an off-injector syringe loader to load fluid into a syringe such that the syringe loader is operable independent of a powered injector. At best, Zihlerl, Anwar, and Crainich disclose a power injector having an on-injector fluid-loading function or capability. This is distinctly different from the system claimed in independent claim 18 in which the system includes an off-injector syringe loader physically separate from the injector of the system and, thus, the system claimed in independent claim 18 is not anticipated by or rendered obvious over the teachings of Zihlerl, Anwar, and/or Crainich.

U.S. Patent Nos. 4,681,566 to Fenton; 4,465,474 to Mardorf et al.; and 4,838,857 to Strowe et al. were cited previously by the Examiner in this application and disclose various fluid infusion/injector devices, none of which has a fluid-loading capability. In fact, the infusion/injector devices disclosed by these are apparently only able to accept a pre-filled syringe. Accordingly, these patents are not even relevant to amended independent claim 18.

U.S. Nos. 6,090,064 to Reilly et al. 6,048,334 to Hirschman et al. disclose injector devices with a syringe-loading capability or mode, but do not in any way teach or suggest an off-injector syringe loader and, therefore, are also not relevant to amended independent claim 18.

New claims 41-50 depend directly or indirectly from amended independent claim 18 and further define the claimed system. New claims 41-50 are allowable over the prior art of record for all the reasons discussed previously in connection with amended independent claim 18. Generally, claims 41-50 further identify how the powered injector and syringe loader each accept the syringe and comprise structure for removably receiving the syringe.

3. Conclusion

In view of the foregoing, Applicants respectfully request reconsideration of the Examiner's rejection of claims 18, 20, 22, and 38-40, and allowance of claims 18, 20, 22, and 38-40 and new claims 41-50 in addition to allowed claims 1, 12, and 13.

The undersigned submits this document pursuant to 37 CFR § 1.34(a) and is authorized to file this Amendment.

Respectfully submitted,

By  _____

Christian E. Schuster
Registration No. 43,908
Attorney for Applicants